

# **INVITATION TO SUBMIT BEST AND FINAL OFFERS**

## **FOR PROPOSALS FOR THE REDEVELOPMENT OF THE NASSAU VETERANS MEMORIAL COLISEUM SITE**

**To: The Engel Burman Group – Kabro Associates  
Coliseum Redevelopment Corporation  
Lighthouse Development Group, LLC  
Polimeni International LLC and The Cordish Company**

Issue Date: November 23, 2005

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**Nassau County**  
Long Island, New York

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## **A. INTRODUCTION**

This is an Invitation to Submit Best and Final Offers. (A “Best and Final Offer” is referred to herein as a “BAFO.”) This invitation is made as part of the review process by Nassau County (the “County”) in connection with the redevelopment of the site of the present Nassau Veterans Memorial Coliseum (the “Coliseum Site”) comprising approximately 77 acres.

The vision for the redevelopment of the Coliseum Site is for a transformation of the site into an attractive multiple-use destination center consistent with the County’s vision for New Suburbia and with the following principal goals:

- (i) the renovation or replacement of the Coliseum building into a state-of-the-art, world-class sports and entertainment facility at no cost to the County;
- (ii) the extension of the Islanders’ agreement or an agreement with a comparable professional sports franchise;
- (iii) the use of structured parking adjacent to the Coliseum building to free up land for other development;
- (iv) the creation of a mixed-use, commercial/residential development;
- (v) the construction of Next Generation Housing;
- (vi) the expansion of the tax base for Nassau County, the Town of Hempstead and applicable school district(s); and
- (vii) the enhancement of the Coliseum site with a viable public transportation system connecting the site with the greater area known as the Nassau County Hub; concurrent with positive impacts and relationships on surrounding development and parcels.

By way of background, in the fall of 2004 the County negotiated the terms of a potential disposition of the Coliseum Site with an entity known as the Lighthouse Development Group, LLC. The proposed lease with Lighthouse Development Group, LLC was filed in the Office of the Clerk of the Nassau County Legislature on March 9, 2005.

Subsequently, and on August 12, 2005, the County issued RFP No. CE0812-0557 (the “RFP”) entitled “Request for Proposals for the Redevelopment of the Nassau Veterans Memorial Coliseum Site” in an effort to determine whether there existed any alternative competitive opportunities for the disposition of the Coliseum Site. Three developers submitted proposals in response to the RFP by the deadline of October 3, 2005. Proposals were received from The Engel Burman Group – Kabro Associates, Coliseum Redevelopment Corporation, and Polimeni International, LLC and The Cordish Company. The proposed lease by Lighthouse Development Group is now being evaluated as a proposal along with these proposals.

As part of the review and evaluation of the four proposals, the County issued General and Specific Clarification Questions. The answers to the general and specific questions posed to the four development teams are posted on the County’s website at [www.nassaucountyny.gov](http://www.nassaucountyny.gov).

On November 10, 2005 the County held a public meeting in connection with the RFP and the redevelopment of the Coliseum site. At this public meeting, each of the four development teams presented to the Nassau County Evaluation Team, including its consultants and legal advisors, members of the Nassau County Legislature, the media, general public and others, its concept for the redevelopment of the Coliseum site. The PowerPoint presentations and a transcript of the proceedings are also posted on the County's website.

As a result of the presentations and in furtherance of an open, fair and competitive process, the County has deemed all four proposals for the redevelopment of the Coliseum Site as responsive to the requirements of the RFP. Accordingly, the County's election to issue this Invitation to Submit Best and Final Offers to the four development teams is being made pursuant to Section H(A) of the RFP and all BAFO responses received in response shall be subject to and governed by the terms and conditions contained in the RFP.

## **B. BAFO SUBMISSION INSTRUCTIONS**

Each of the four development teams is invited to submit a BAFO to the County in connection with the RFP. The BAFO must be comprised of the development team's cover letter and completed **Attachments A, B, and C**, as well as such additional materials as the development team may wish to submit to better describe its offer.

The County recognizes that the development parameters and conceptual site plan are preliminary and may be subject to change in accordance with necessary reviews and approvals. With respect to the County's role in reviewing development parameters and site plans, the County primarily intends to ensure that the parameters and plans are consistent with the County's vision for New Suburbia.

The BAFO shall consist of:

- The cover letter.
- **Attachment A** is a term sheet setting forth the County's vision or proposed terms for the significant components of the redevelopment of the Coliseum Site. The form of this attachment is included herein as Attachment A. We invite you to provide your response to this statement of the County's vision and proposed terms. You must describe your offer in your response on the electronic version of this attachment and indicate, where applicable, whether you agree with the County's vision or terms, or you must provide an alternative with an explanation supporting your alternative. Please note that your BAFO will not be deemed non-responsive in the event that you do not agree with any or all of the County's proposed terms. You must, however, include your own alternative proposals.
- **Attachment B** is a statement of development parameters of the proposed conceptual site plan. The form of this attachment is included herein as Attachment B. Please use the electronic version of this attachment to provide your response.

- **Attachment C** is a site plan of the proposed 77 acre redevelopment, including: proposed parking; use, access and right-of-ways for a future public transportation system; and all dimensions for buildings and other improvements. There is no form for this attachment included herein and developer must provide its own.

Attachment “A” must be signed by all principals of the development team. The original and ten (10) copies of the BAFO, together with all attachments, must be submitted to the County in a sealed opaque envelope no later than 4:00 p.m. EST on December 23, 2005. Developer should place materials responsive to Section II of the Term Sheet entitled “Financial Terms”, and any and all pertinent financial information which developer deems to be confidential and/or of a proprietary nature, in a separate, sealed opaque envelope marked “CONFIDENTIAL – FINANCIAL TERMS.” The materials in the envelope should also be marked confidential. The County intends to post on the County’s website information not marked confidential which is received in response to this invitation to submit a BAFO. No telegraphic or facsimile BAFOs will be accepted. Any late BAFOs will be returned unopened. The County is under no obligation to return BAFOs.

The developers must submit the BAFOs and direct all responses, questions, and any other communications to the following authorized contact person:

**Mr. Frank Ryan**  
**Director of Purchasing**  
**240 Old Country Road, Suite 307**  
**Mineola, New York 11501**  
**Telephone: (516) 571-4060**  
**Facsimile Number: (516) 571-4263**

## **C. GENERAL**

Please note that, as stated above, your BAFO response shall constitute a submission under the RFP, and, therefore, it shall be subject to and governed by all of the terms and conditions set forth in the RFP which are unchanged and remain in full force and effect. The County reserves all rights, including the right to (i) request additional information to assist the County in evaluating, analyzing and selecting a developer and (ii) use the BAFOs as a basis for negotiation with one or more developers.

Following the selection of a developer, the County and the developer shall proceed to negotiate a lease, contract or other development agreement which shall set forth the terms of the redevelopment and will allow the developer to seek to obtain the required approvals and proceed with the project. Such agreement may be subject to modification upon mutual agreement to address issues and alternatives that arise during the approval process.